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UN Gray Area and Enforcement  
Operations**

**Donald C.F. Daniel, Ph.D.**

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This memorandum examines the difficulties encountered in United Nations sponsored operations that don't fit neatly into either traditional peacekeeping scenarios or outright combat. Some theorists have tried to eliminate discussing the problems created by these operations by defining all missions conducted without the consent of involved parties as enforcement and those conducted with consent as peacekeeping. They assert there is no middle ground or gray areas in which troops must operate. The author argues this view is not only wrong but dangerous.

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ISSUES AND CONSIDERATIONS IN  
UN GRAY AREA AND ENFORCEMENT OPERATIONS

by

Donald C.F. Daniel, Ph.D.  
Professor and Director,  
Strategic Research Department  
Center for Naval Warfare Studies  
Naval War College  
Newport, RI 02841-1207  
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This paper was prepared for the National Strategy Forum of Chicago, Illinois, and is based on remarks made by the author at the forum's meeting on "The Transformation of the US National Security Establishment: Adapting to New Realities at Home and Abroad," Chicago, 23-24 May 1994.

*The views expressed herein are strictly the author's and have not been endorsed by an agency of the US government.*

## INTRODUCTION

The UN's unhappy experiences in Bosnia and Somalia have markedly increased skepticism about its engaging in peacekeeping operations characterized by the threat or use of military force. This three-part article offers considerations which ought to be kept in mind when assessing whether or not it ought to undertake such operations in the future. The first part provides some historical perspective and lays out trends in peacekeeping. The second outlines issues associated with, and the prospects for, non-traditional operations which imply or apply coercion. The third places the somewhat pessimistic arguments offered earlier against the backdrop of the UN's overall utility to contribute to peace and stability.

## TRENDS

There are eight trends worth noting concerning those military operations specifically labelled "peacekeeping" by the UN.<sup>1</sup>

*First:* peacekeeping did not begin with the UN. On numerous occasions the League of Nations employed individual soldiers or units in such tasks. In the 1920s, for instance, the League was active in helping resolve disputes about which state had sovereignty over one or another piece of territory. One method of resolving the problem was to hold a plebiscite in the disputed area to let the people themselves decide whether they wished to be under French jurisdiction, German jurisdiction, Polish jurisdiction or whatever. While that process was sorting itself out, the League temporarily sent forces into the area to prevent a power vacuum, maintain basic law and order, and insure a fair electoral process.<sup>2</sup> In addition, the League also sometimes dispatched small numbers of military personnel in border areas to help reassure the parties on both sides that the other was not about to engage in a land grab or unilaterally seek to adjust the border.

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1 For a list of these through May 1993, see United Nations, *United Nations Peace-keeping* (UN Department of Public Information, August 1993). For additions to the list through February 1994, see United Nations Secretariat, *Status of Contributions as at 28 February 1994*, ST/ADM/SER.B/431, 8 March 1994.

2 See Alan James, *Peacekeeping in International Politics*, #29 in the *Studies in International Security of the International Institute for Strategic Studies* (London: Macmillan, 1990), pp. 18-37, 75-79, and 145-148.

*Second:* whether or not it did so self-consciously, the UN has built on the precedent of the League. Since its founding nearly 50 years ago, it has mandated 33 peace support operations involving military personnel under its control. The smallest—in the Dominican Republic in the mid-1960s—consisted of only two people while the largest—in Cambodia, Somalia, and the former Yugoslavia in the 1990s—have each involved 20,000 or more. There were only thirteen operations initiated in the first thirty-three years, none at all in the next ten, and a remarkable twenty in the last six years alone.

*Third:* many of the operations conducted today are long term in nature with some of the first thirteen still ongoing. Even if the UN should resist taking on more burdens, it should remain heavily engaged for the foreseeable future.

*Fourth:* of the first 13 cases, all but two (the Congo and West Irian missions) conformed to the model and rules of *traditional peacekeeping*. The missions dealt with cross-border disagreements or conflicts. The peacekeepers separated hostile forces and/or monitored borders, cease-fires, or force movements. They operated only with the consent of all involved and with strict concern for impartiality and for minimizing interference in any state's domestic affairs. They were deliberately few in number, unarmed or lightly armed at best, and not allowed to use force except in self-defense. During the Cold War, furthermore, it was understood that the major Western powers would limit their participation to a support role.

*Fifth:* of the twenty cases since 1988, only five fall into the traditional peacekeeping category. The other fifteen are *non-traditional* in that they differ in breadth, depth, or both. They differ in breadth in at least two ways. One is that the UN now engages in preventive deployment, i.e., in placing a few hundred military people along a border before a crisis even occurs. While the forces are inadequate to prevent any cross-border incursions, they constitute a signal to the parties that the international community's concern that there be no violation of the peace. More importantly, some of the recent operations have involved the UN in intrastate affairs, specifically helping new or collapsed states set up governmental structures (e.g., monitor or conduct national elections or referenda), maintain law and order, provide basic social services, or otherwise support beleaguered populations (e.g., by insuring the delivery of humanitarian aid) often during or in the aftermath of civil war. When thus employed, the UN inevitably intervenes in the domestic juris-

diction of states—if one assumes a disintegrating state has a domestic jurisdiction worth talking about. Recent operations also can differ in depth in that the number of UN-deployed personnel, both military and civilian, usually far exceeds that for traditional missions. As noted earlier, they can involve 20 to 30,000 military personnel, now including some from the Western powers, with the forces bringing more firepower than that generally associated with the observer and interposition activities which characterize traditional peacekeeping.

*Sixth:* recent operations generally tend to be more wide-ranging, more demanding, and often riskier than those undertaken in the past. Some have been carried out against the wishes of one or more of the parties involved, and with the military elements being sanctioned, albeit usually with great reluctance by the UN, to go beyond self-defense, when necessary, to *enforce* resolutions calling for economic sanctions, embargoes, no-fly zones, safe areas, the delivery of humanitarian aid, and the restoration of civil order. Even when the UN authorizes enforcement, however, it has shown itself reluctant to exercise force in the hope that the possibility of its doing so, coupled with its moral authority, would be enough. Indeed, its reluctance goes so far that some operations fall into a *gray area* where comparatively large contingents are deployed in a show of muscle but are never formally given authority to apply coercive measures. Such *quasi-enforcement* operations have been termed “muscular peacekeeping,” but the label is misleading: forces that seem muscular compared with those deployed in traditional peacekeeping may not be particularly robust in an absolute sense in the circumstances in which they find themselves.

*Seventh:* the UN's record of success in non-traditional peacekeeping and enforcement is spotty, and disillusionment has set in. Some UN member states which could always be counted on to support operations now exhibit fatigue and a reticence to commit much more of their resources. There is general feeling that the organization and the member states are overstretched as far as peacekeeping is concerned. The United States leads in urging caution about entering into new operations.<sup>3</sup>

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<sup>3</sup> See *The Clinton's Administration's Policy on Reforming Multilateral Peace Operations*, Department of State Publication 10161 (State Department Bureau of International Organization Affairs, May 1994).

*Eighth:* alongside disillusionment and fatigue is a trend of resentment among some member states, especially in the developing world. It is the fifteen-member Security Council, led by the United States and the other Permanent Members, which commits the entire UN to such operations. Many smaller states bristle at the sway exhibited by the United States and the other major Western powers and fear possible consequences to their own sovereignty from the UN's recent tendency for intervening in internal affairs. They also fear that large peacekeeping operations siphon attention and resources away from economic development programs. They presumably welcome the very cautious approach now exhibited by the US and others.

With the UN's fiftieth anniversary upon us, member states are now in a period of stock-taking about the organization's role, and much thought in particular is being given to where it should go in non-traditional peacekeeping, especially in gray area and enforcement missions. A number of considerations should be kept in mind when addressing that question.

#### ISSUES ASSOCIATED WITH QUASI-ENFORCEMENT AND ENFORCEMENT MISSIONS

There are seven assertions to be made concerning gray area and enforcement missions. The *first* is that military men find them among the most difficult of military operations to undertake. Unlike their counterparts in traditional operations, they cannot count on the consent of the parties on the ground. Indeed, in enforcement certainly and in gray area missions probably, they must assume some resistance either centrally coordinated by some government or faction or, even worse, sporadic—e.g., roadblocks manned by drunken irregulars armed with Kalashnikovs—with no clear indication whether it was a rule or an exception. Unlike a *Desert Storm* situation, furthermore, the soldiers cannot assume that they can engage in full-fledged combat (albeit within the laws of war, of course) aimed at winning, at breaking all resistance. Rather, the same military personnel expected to demonstrate resolve or enforce resolutions are also expected to do so with the lightest touch possible in the hope that the parties on the ground will, in the end, willfully assent to the UN's mandate. Hence, to the soldiers involved, the means are contradictory to the ends.

A *second* assertion is that all the problems associated with peacekeeping increase geometrically when quasi- or openly-mandated enforcement enters the picture. Traditional peacekeeping assumes consent of the parties and usually occurs after an outbreak of killing and destruction. Because traditional peacekeeping elements are usually small in number (often bringing together only individuals rather than units), they do not generally require large amounts of supplies, communications equipment, medical facilities, or working through complicated contingency plans and detailed rules of engagement. Gray area operations or enforcement are usually mandated because killing and destruction are going on and the international community wishes to end them. Since people are being maimed and killed, the sense of urgency is immediate; the stakes on the human level are as high as can be. This means step-level increases in the magnitude of the problems UN forces must resolve but a step-level decrease in the amount of time available to resolve them. The issues are not only those of sovereignty and intervention which define the outer limit of the debate. From an organizational perspective they involve concerns about proper planning, intelligence, equipment, communications, command and control, size and capabilities of contributed forces, and coordination among them (including resolving such basic issues as language problems). At the operational level they involve how to ensure the delivery of food in circumstances where, to the opposing parties on the ground, food is a weapon; how to avoid taking sides if possible and still alleviate the suffering of innocents subjected to bombing or unspeakable cruelty; how to deal with factional leaders who, in other circumstances, would be labelled "war criminals"; and how to craft rules of engagement for UN military personnel confronted by hostile armed local elements.

Shashi Tharoor, a UN official, correctly reminds us that people expect the UN will always "do the right thing," and "do the thing right," but failure to agree on right—i.e., on what will be best *in the long run*—can paralyze decision-making.<sup>4</sup> It can lead to a *de facto* decision of doing nothing at all. Even worse, it can lead to mandates full of sound but empty of fury, signifying worse than nothing by inspiring cynicism and disillusionment.

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<sup>4</sup> Shashi Tharoor, "Foreword," in Donald C.F. Daniel and Bradd C. Hayes, *Beyond Traditional Peacekeeping* (London: Macmillan, forthcoming in 1995).



One writer phrased the central issue well when he asked whether the UN in internal conflicts should seek to encourage peace or to enforce it.<sup>5</sup> Humanitarian imperatives may call for enforcement or more precisely prevention of starvation, cruelty, and injustice, but it is when the UN moves into enforcement that it badly stumbles politically and operationally.

This leads to a *third* assertion that, from the perspective of military personnel who have commanded or otherwise participated in enforcement operations, the UN must significantly change the way it does business if it is to inspire confidence that it can effectively undertake large-scale operations even when (quasi-)enforcement is not an element. It is not that positive change has not occurred, and it certainly is not that the UN personnel in the Department of Peace-keeping Operations are not doing the best they can.<sup>6</sup> Nevertheless, there is pervasive belief that change has not gone far enough, that welcomed centralization bringing together organizationally-divided entities has been accompanied by a countervailing decentralization of decision-making in the Secretariat. For forces on the ground, continuing problems of decentralization in New York are compounded by a decentralization in the field which may not be amenable to much change. That is, large-scale operations usually involve numerous groups—military, relatively independent UN civilian agencies, and aggressively independent non-governmental and private volunteer organizations—whose aims and method sometimes seem at cross-purposes.

A *fourth* assertion is that, all things considered, the UN probably should not attempt to directly manage or control large full-fledged enforcement operations. It is simply not well-structured to do so and there is justifiable skepticism that it can change enough. Enforcement should be contracted out to a willing coalition.

My *fifth* assertion is in the form of a question: in light of the above four assertions, is there even a future for gray area or enforcement missions? As the United Nations approaches its fiftieth anniversary, it is ironic to consider one scholar's observation that, as far as peacekeeping is concerned, we are back to 1964—the year the UN

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5 Stephen John Stedman, "UN Intervention in Civil Wars: Imperatives of Choice and Strategy," in Daniel and Hayes, Chapter 3.

6 The writer has dealt with members of the Department and holds them in the highest respect.

ended the Congo mission.<sup>7</sup> The latter constituted both an experiment and an unhappy baptism of fire into missions which went beyond traditional peacekeeping. The United Nations found itself in the midst of a collapsed state riven by civil war, and it found just how difficult they can be to mediate since the opposing parties generally exhibit winner-take-all mentalities which makes compromise nigh impossible. Indar Rikhye, who was closely involved with the Congo mission, opines that it never would have been attempted if member states had foretold its complications and entanglements.<sup>8</sup> Over a quarter century would go by—more than half the lifetime of the organization to date—before the UN again initiated operations of comparable scope and ambition.

While there have since been notable successes, most especially in Namibia and Cambodia, the latter in particular was a close-run affair inspiring as much caution as optimism, and in the end it seems that the difficulties plaguing the operation in Somalia (notwithstanding the success outside of Mogadishu) and the operation in Bosnia are casting the longest shadows. Those who follow the opinions of member states document skepticism and see a willingness of some states to go beyond traditional peacekeeping (i.e., engaging in some nation-building tasks) only where there is no expectation of enforcement.<sup>9</sup> There seems to be an increasing consensus that the UN should always remain impartial and act only with the consent of the parties on the ground. Reinforcing this viewpoint is the observation of one participant in the Cambodian operation that a reason it succeeded was that it was not lured into enforcement, and the conclusion of a first-hand observer of the Somalia mission that it went off track with the decision to marginalize and then pursue Aided.<sup>10</sup>

*Sixth*, those who accept the possibility of quasi- or explicit enforcement for humanitarian purposes agree that it should be "timely and robust or shunned altogether."<sup>11</sup> But there is the rub. Member states

7 Bo Hult, "Working Multilaterally: The Old Peacekeepers' Viewpoint," in Daniel and Hayes, Chapter 6.

8 Indarjit Rikhye, "The United Nations in the Congo: Peacekeeping, Peacemaking and Peacebuilding," in Daniel and Hayes, Chapter 11.

9 See, e.g., the letter to the editors of *The New York Times* by the Secretary-General of the Medecins Sans Frontieres, May 23, 1994, p. A14.

10 See James Scheer, "The Case of Cambodia," and Gary Anderson, "UNOSOM II: Not Failure, Not Success," in Daniel and Hayes, Chapters 13 and 14 respectively.

11 Thomas G. Weiss, "On the Brink of a New Era? Humanitarian Interventions, 1991-4," in Daniel and Hayes, Chapter 1. See also Ernest B. Haas, "Beware the Slippery

seem far less inclined today than just three years ago to pay the costs in structural changes to the UN, in anguish which arises when trying to determine the right thing to do, and in men, material, and money to do it. Indeed, to act in one case raises the presumption of acting in the next and then the one after that, but the problem is that there will always be more mayhem and suffering than the UN can ever handle through the use of peacekeeping. Even while acting in Somalia, it ignored a comparable situation in Cameroon. Even while it tries to resolve the Somali and Bosnian situations, it is confronted with new and even more unspeakable atrocities in Rwanda.<sup>12</sup>

In the end this means that member states will have to adopt a policy of *triage*, of picking out those situations where they think they can do the most good. But if member states eschew enforcement altogether, *triage* may not always be relevant. The patient will have died before the killers consent to intervention.

*Seventh*, I am not arguing for forceful intervention in all cases, for it may not necessarily make things better in the long run. There are also valid questions about how much the international community can afford to do and how much it can do. The problem requiring attention—as in Rwanda—may grow too big for the community to deal with until it subsides. Even if a problem is addressed, it may not be not enough to deal with the symptoms; unless root causes are addressed, it will only recur. This means making commitments which most probably would be longer, more expensive, and more frustrating than most publics of contributing member states would be willing to tolerate. Such practical dilemmas will always overwhelm moral qualms and suppress consequent guilt.

#### THE UN IN PERSPECTIVE

If gray area and enforcement operations are too often too hard for the UN, this does not diminish the fact that, even with its recent setbacks and disappointments, there is still much it can do. First, it

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Slope: Notes toward the Definition of Justifiable Intervention," in Laura W. Reed and Carl Kaysen, *Emerging Norms of Justifiable Intervention* (Cambridge, MA: Committee on International Security Studies, American Academy of Arts and Sciences, 1993), pp. 63-87.

<sup>12</sup> See Paul Lewis, "Boutros-Ghali Angrily Condemns All Sides for Not Saving Rwanda," *The New York Times*, May 26, 1994, pp. A1 & A10.

retains its role in traditional peacekeeping where consent of the parties and impartiality remain paramount. Second, its newly-added role of preventive deployment—interposing troops between belligerents *before* the outbreak of a crisis—may take on greater relevance over time. Third, it has established its undeniable utility to help new states transition to self-government or to help collapsed states rebuild their basic governmental infrastructure and provide social services. In each of these three roles, it can provide assurance to opposing parties that the other is abiding by an agreement and it can help deter any party contemplating independent action by threatening to expose or condemn it. Fourth, it remains *the* only global authority for sanctioning a coalition willing to act against an aggressor. Conversely, and no less importantly, it remains the only global authority which can withhold sanction and even condemn a state or coalition which proposes wholesale aggression against another. A Mussolini invading Abyssinia or a Hussein Kuwait may not care much one way or the other, but most leaders today, especially of democratic governments, probably think otherwise.

To enhance its relevance it must improve its capabilities for peacekeeping, especially for large operations and for those which may involve humanitarian intervention. The trend toward the sanctioning of humanitarian intervention may have slowed or even halted, but the precedents remain and the need will not go away. The UN must push forward on structural changes having impact in New York, in the field, and in the command-and-control nexus in between. The change which will be decisive, however, will be that which takes place among the member states themselves. The fundamental issue is one that only they can answer: What kind of the UN do they want? Furthermore, what peacekeeping operations of what type are they ready and willing to support politically and financially? A UN official, Angela Kane, usefully reminds us of the prime importance of domestic considerations in a nation's decisions to support operations.<sup>13</sup> From that standpoint it is difficult to predict how long it will take member states to work through the present period of retrenchment in non-traditional peacekeeping. In particular, economic global recession or political turmoil within the major powers can contribute

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13 Angela Kane, "New and Emerging Supporters of UN Operations." Paper delivered at the Conference on The Challenge for the New Peacekeepers sponsored by the Friedrich Ebert Foundation and the Stockholm International Peace Research Foundation, Bonn, Germany, 21-22 April 1994, p. 19.

to national introspection not conducive to enhancing the UN's powers in general or its capabilities for peacekeeping.

It would be wrong to conclude on a pessimistic note. Writing about the Congo operation, Indar Rikhye observes that it was "a wonder that anything at all was accomplished."<sup>14</sup> All things considered, one can apply his observation to the history of UN peacekeeping since the first operation in 1948. Though in fits and starts, and often with one step back for every two forward, much has been accomplished. The UN at 50 is a far more relevant instrument for world public order and well-being than it was at 19 when ONUC ended or at 43 when the present wave of peacekeeping began. The trend is in the right direction.

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<sup>14</sup> In chapter in forthcoming book cited in note 8 above.